

David Mead

From: Dean Francis <dean@michiganforesters.com>
Sent: Friday, May 25, 2012 1:35 PM
To: Rep. Frank Foster; David Mead
Subject: FW: Michigan's Conservation District Holding Out as Consulting Forester - Delta CD
Attachments: 2010 Delta CD Revenues, Expenses, Cash Deposits.pdf; 2012 Delta CD Yellow Pages Ad.pdf; 2012 Delta CD Services.pdf; DeltaCo.FOIAResponse1.30.2012.pdf

Dear Representative Foster and Mead:

This email letter is concerning the current legislation pertaining to Michigan's Conservation Districts funding and level of services. Over the last (18-24) months, I have been very concerned over the ability of Michigan's Conservation Districts to offer the same services and compete with Michigan's private forestry consultants. You continually hear from the Michigan Department of Agriculture that provides grants to the conservation districts that there is no competition and tax dollars are not being used to compete with private business. The MDA-Conservation District Grant language is weak and does NOT address the area of competition with private businesses. Please see attached Delta CD ads. It is clear that the Delta CD is holding them selves out as a private business while working out of the Pioneer Trail County Park facility which is subsidized by my tax dollars.

I OBJECT TO ANY CURRENT AND FUTURE FUNDING OF MICHIGAN'S CONSERVATION DISTRICTS WHILE THEY ARE ACTING AS A PRIVATE BUSINESS AND TAKING ADVANTAGE OF NON-PROFIT TAX EXEMPTION, GRANTS, CONTRIBUTIONS AND APPROPRIATIONS.

I AM ASKING YOU TO INTRODUCE LEGISLATION THAT WILL ELIMINATE COMPETITION FROM MICHIGAN'S CONSERVATION DISTRICTS.

I would appreciate the opportunity to speak with you and/or one of your representatives on this matter.

Please read my comments below.

Thank you.

Dean R. Francis
President, Co-Owner, Upper Michigan Land Management
906.235.0369

To: Jerry Grossman, Justin Miller - Association of Consulting Foresters
(ACF)

See attachments specifically the Delta CD new yellow pages ad. I believe you have already seen the other two attachments.

Background:

During the Winter of 2011, a group of Delta County consulting foresters became aware of or heard rumors of the Delta Conservation District planning to expand their services. So, on February 08, 2011, Dennis Renken (Renken Forestry Consulting), Jack Penagor (Penagor Forestry Consulting) and Dean Francis, Todd Green of Upper Michigan Land Management attended the regular scheduled monthly meeting of the Delta Conservation District board meeting. During the meeting, we discussed and voiced our concerns of a subsidized "unique" government agency offering forestry, land and wildlife management services that directly competes with the private business sector. During a heated discussion, the treasurer of the Delta CD, Mr. Jack Herrick, stated the following; "We will do what ever it takes to remain in business".

Mr. Tom Elegeert, Delta County Board of Commissioner was present and witnessed this. So, we left the meeting with very little assurance that the Delta CD would work with us. It was apparent the Delta CD would be now offering a full line of land management services, charging for those services while receiving federal, state and county grants, contributions and appropriations. During the Winter of 2012, the Delta CD sent out it's 2012 Spring Tree Catalog with a list of services they are providing to private landowners. See Attachment. During the Spring of 2012, I received the 2012-2013 Yellow Pages book with the Delta CD's new ad. See Attachment.

During the Winter of 2011, the Delta CD moved from the NRCS Office in Gladstone to the Delta County, Pioneer Trail Park in Escanaba. So, through the Freedom of Information Act, I requested all Delta County appropriations from 2009 through present. The Delta County Board of Commissioners approved county appropriations to the Delta CD in the amount of \$25,000.00, \$20,000.00 and \$25,000.00. I asked in a letter to Nora Viau, Delta County Administrator what the appropriations are to be used for. In her written response, "they may use the appropriation as they choose. See attachment, Delta Co. FOIA Repsonse.

Thus, it appears that the Delta CD is being subsidized through many government grants, appropriations and contributions while running a "For-Profit" natural resources land management business out of the Pioneer Trail Park.

Dean Francis
Consulting Forester, Business Owner
Upper Michigan Land Management

The message is ready to be sent with the following file or link attachments:

2010 Delta CD Revenues, Expenses, Cash Deposits
2012 Delta CD Yellow Pages Ad
2012 Delta CD Services

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

DELTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

GENERAL FUND
SUPPLEMENTAL STATEMENT OF REVENUES
FISCAL YEAR ENDED SEPTEMBER 30, 2010

<u>REVENUES</u>	<u>ACTUAL</u>
Local Revenue	
Reforestation Sales	\$ 59 360
Interest	6 768
Other Income	14 597
Wildlife Cost Sharing	2 750
Delta County	25 000
Ford River Project	20 109
Hannahville Project	35 000
SESC Program	<u>23 238</u>
Total Local Revenue	<u>186 822</u>
State and Federal Revenue	
State Groundwater Stewardship Grant	62 000
Forestry Assistance Grant	60 000
Conservation Tech. Assistance Grant	59 930
Emerald Ash Borer Grant	<u>112 441</u>
Total State and Federal Revenue	<u>294 371</u>
TOTAL REVENUE	<u>\$ 481 193</u>

The notes to the financial statements are an integral part of this report.

DELTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

GENERAL FUND
SUPPLEMENTAL STATEMENT OF EXPENDITURES
FISCAL YEAR ENDED SEPTEMBER 30, 2010

	<u>ACTUAL</u>
<u>EXPENDITURES</u>	
<u>LEGISLATIVE</u>	
Legal, Audit and Miscellaneous	\$ 1 582
Meetings	<u>5 547</u>
TOTAL LEGISLATIVE	<u>7 129</u>
<u>ADMINISTRATIVE</u>	
Salaries and Benefits	67 626
Mileage, Dues and Fees	3 974
Education, Advertising and Fair Booth	3 914
Supplies and Miscellaneous	9 983
Telephone	1 287
Equipment	<u>1 786</u>
TOTAL GENERAL GOVERNMENT	<u>88 570</u>
<u>REFORESTATION PROGRAM</u>	
Purchases and Other Expense	<u>44 415</u>
TOTAL REFORESTATION PROGRAM	<u>44 415</u>
<u>GENERAL PROGRAMS</u>	
Hannahville Project	35 000
Ford River Project	20 109
Ripp It Up	<u>1 034</u>
TOTAL GENERAL PROGRAMS	<u>56 143</u>
<u>GROUNDWATER PROGRAMS</u>	
Salaries and Benefits	59 031
Training, meetings and supplies	<u>4 899</u>
TOTAL GROUNDWATER PROGRAMS	<u>63 930</u>
<u>CONSERVATION TECH. ASSISTANCE PROGRAM</u>	
Salaries and Benefits	57 199
Program Support	1 917
Training	<u>935</u>
TOTAL CONSERVATION TECH. ASSISTANCE	<u>60 051</u>
<u>WILDLIFE COST SHARING</u>	
Landowner Payments	<u>2 750</u>
TOTAL WILDLIFE COST SHARING	<u>2 750</u>
<u>FORESTRY/WILDLIFE PROGRAM</u>	
Salaries and Benefits	55 566
Training, meetings and support	<u>4 435</u>
TOTAL FORESTRY PROGRAM	<u>60 001</u>
<u>EMERALD ASH BORER PROGRAM</u>	
Salaries and Benefits	105 144
Travel and supplies	<u>7 297</u>
TOTAL EMERALD ASH BORER PROGRAM	<u>112 441</u>
TOTAL EXPENDITURES	<u>\$ 495 430</u>

The notes to the financial statements are an integral part of this report.

DELTA SOIL AND WATER CONSERVATION DISTRICT
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2010

NOTE B - CASH, DEPOSITS, AND INVESTMENTS (CONTINUED)

Category 3 Deposits which are not collateralized or insured.

Based on these levels of risk, the District's cash deposits are classified as follows:

	Category <u>1</u>	Category <u>2</u>	Category <u>3</u>	<u>Total</u>
Cash and Deposits	\$250,000	\$ 0	\$216,393	\$466,393

STATUTORY AUTHORITY

Act 196, PA 1997, authorized the District to deposit and invest in:

1. Bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States.
2. Certificates of deposit, savings accounts, deposit accounts, or depository receipts of a financial institution eligible to be a depository of funds belonging to the State of Michigan under a law or rule of this state or the United States.
3. Commercial paper rated at the time of purchase within the two highest classifications established by not less than two standard rating services and that matures not more than 270 days after the date of purchase.
4. Repurchase agreements consisting of instruments issued by the United States or an agency or instrumentality of the United States.
5. Bankers acceptance of United States banks.
6. Obligations of the State of Michigan or any of its political subdivisions that at the time of purchase are rated as investment grade by not less than one standard rating service.

Delta Conservation District Services

The Delta Conservation District is a unique local unit of government that was formed in 1951. The District is run by a 5-member board of local directors that are elected by county residents to 4-year terms.

The mission of the Delta Conservation District is to assist all county residents with information, education, and technical services in all aspects of natural resource and/or environmental issues, specializing in local assistance to non-industrial private landowners.

Services provided:

- Delta County Enforcing Agency – Soil & Erosion Control
- Wetland Permit Assistance & Identification/Delineation
- Great Lakes Shoreline, Lakes & Streams Technical Assistance
- Critical Dune Vegetative Removal Assurance Assistance
- Land Management Assistance
- Forestry/Wildlife Technical Assistance
- Wildlife Habitat Specialists
- Wildlife/Forestry Cost-Share Project Money Available
- Tree Planting Technical Assistance
- Spring Tree Sale
- Streambank Stabilization Assistance
- Water Quality Technical Assistance
- Conservation/Agriculture Technical Assistance
- USDA Farm Bill Program Assistance
- Operation & Management Delta County Parks, Campgrounds & Recreation Areas

For more information and/or assistance please contact us at:

6822 US 2-41 & M35

Gladstone, MI. 49829

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Foresters Consulting

DELTA CONSERVATION DISTRICT

www.deltacd.org

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5822 US HWY 241 & M35 Gladstone

906 553-7700

Upper Michigan Land Management & Wildlife Services Inc.

1705 4th Ave N Escanaba 786-3488

Formal Wear

Foundation Contractors

Vandres Construction 7075 Co. 126 M S Rd Gladstone 789-0300

Foundations Educational, Philanthropic, Research, Etc.

Community Foundation for Delta County

2516 21st Ave S Escanaba 786-6654

Four Wheel Drive

See Truck Accessories

Truck Dealers New

Truck Dealers Used

Truck Equip & Parts

Truck Repair & Serv

Fraternal Organizations

See Also Associations

Clubs

Delta Lodge of Masons number one hundred ninety five

Rt 2 Ludington St Escanaba 553-7066

Rks Temple 213 Walnut Menig 341-2535

Fumigating

See Pest Control Servs

Fund Raising Counselors & Organizations

Saylors Candies 910 2nd Ave N Escanaba 786-3092

Funeral Homes & Directors

See Also Cremation Servs

Embalmers

Alle Funeral Homes

400 S 10th St Escanaba 786-2142

*See Display Ad Next Page

Anderson Funeral Homes 2260 Ludington Escanaba 786-4232

*See Display Ad Next Page

Crawford Funeral Home 302 S 12th St Escanaba 786-5583

Crawford Funeral Homes

312 S 13th St Escanaba 786-0074

*See Display Ad Next Page

TELL NEW CUSTOMERS WHO YOU ARE!

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Florists Retail -(Cont'd)

Wickert Floral 1006 Ludington St Escanaba 786-1922

*See Display Ad This Page

Foods Carry Out

Booze 1100 Ludington St Escanaba 786-6124

Clyde's Drive-In 201 Chippewa Ave Marquette 341-6021

D & M Subs & S 10th St Escanaba 478-2233

D & M Subs 110 N 14th St Escanaba 789-5016

Dairy Flo 324 Delta Ave Gladstone 428-4111

Family Inn The 6380 N 11th St Wells 786-6774

Ferdinand's Mexican Restaurant

1318 Ludington St Escanaba 786-5184

Four-J's Family Restaurant 402 Montana Ave Gladstone 428-4250

Gram's Pasties 2116 Ludington St Escanaba 786-7363

Just Burgers & More 811 N Lincoln Rd Escanaba 786-1141

Kentucky Fried Chicken 1512 N Lincoln Rd Escanaba 786-3445

McDonalds Escanaba 503 N Lincoln Rd Escanaba 789-9425

Muelle's Pizza Place 1517 Ludington Escanaba 786-9503

Subway 28 Lower Ave Gladstone 428-4378

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See Physicians & Surgeons Podiatrists D.P.M. (Foot)

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January 30, 2012

Mr. Dean Francis
Upper Michigan Land Management & Wildlife Services, Inc.
1705 4th Ave N
Escanaba, MI 49829

Re: Documents Requested through FOIA Request Do Not Exist

Dear Mr. Francis:

Today, the 30st day of January, 2012 you submitted a letter asking for FULL disclosure and accountability of the appropriation made to the Delta Conservation District, Gladstone, Michigan.

I am not exactly sure what you are requesting at this time regarding these appropriations. In summary, you have a copy of the budget book appropriation page for each requested year. This provides you with the amount given to the Delta Conservation District for both the Parks and Soil & Water Conservation appropriation. You have a copy of each Memorandum of Understanding regarding the park system appropriation for the two years that the park system has been under the Delta Conservation District management. There is not a Memorandum of Understanding regarding the Soil & Water Conservation appropriations with the Delta Conservation District, they may use the appropriation as they choose.

In the event that you are not satisfied with this response, I want to advise you of your rights. You have the right to submit a written appeal to the head of Delta County who is Thomas C. Elegeert, Chairman of the Delta County Board of Commissioners, that specifically states the word "appeal" and identifies the reason or reasons for reversal of this denial by myself.

In addition, you may also seek judicial review of this denial pursuant to MCL 15.240. If you seek judicial review and the Court determines that the public records are not exempt from disclosure, you have the right to receive attorney fees and damages in an amount not to exceed \$500.00.

Very truly yours,



Nora Viau, Administrator